

## **EPA answers to questions in red.**

1. What precedent is there for this type of agreement? Is there any published regulatory guidelines that are applicable?

**EPA has at times entered into informal partnerships with outside entities; however, we not aware of any that are closely analogous. We are not aware of any relevant guidance.**

2. Who collects the samples? Who pays for the sampling? Is grant money available to cover costs?

**All sample collection methodology, protocol and rationale will be specified in the Performance Measures Plan. This document will be prepared by EPA and LDEQ, and the corporate partners will have an opportunity to review. The EPA is asking for assistance with the data collection from all programs within the EPA, including headquarters. We are looking at possibly using some grant funds within our 2-year time frame.**

3. Who is participating? (cities? LDEQ? citizen groups?) What are the rolls of the participants?

**We are asking Stella Jones, Kisatchie Treating, Colfax/ROMartin to participate as the 'corporate partners', and the cities of Alexandria and Pineville will also be contributing signatories. The Louisiana Environmental Action Network (LEAN), concerned citizens of Alexandria, etc. will likely also participate in some capacity. We will look at activities that can be performed within the two-year time frame as our first priority, and as we define the activity we will define each partner's role.**

4. When will the collected data be available? (immediately or after quality review and approval?)

**All sample collection methodology, protocol and rationale and reporting will be specified in the Performance Measures Plan (PMP). We will draft a PMP, hold scoping sessions, then produce a final PMP before data collection. The data will be "reported out" as described in the PMP.**

5. Who reviews and comments upon the data before its released?

**All sample collection methodology, protocol and rationale and review and reporting will be specified in the Performance Measures Plan (PMP).**

6. Who publishes the information resulting from the testing?

**Sample publishing will be as per the requirements in the PMP.**

7. Who drafts reports? Will there be an opportunity to comment upon draft reports?

**The review of draft reports and data analysis will be described in the Performance Measures Plan (PMP). A draft of the Sustainability Assessment Report will be completed by the corporate partners – EPA and LDEQ will review – other partners may wish to review and comment.**

8. Who controls the final product concerning the release of data and any resulting reports?

**All sample collection methodology, protocol and rationale and reporting will be specified in the Performance Measures Plan (PMP). The final product is a public document and will be placed in the Library with other informational data, such as the interactive map, posters, etc.**

9. Do you anticipate that EPA's C-FERST tool may be used during the project? If so, please provide any available information on EPA's C-FERST tool as it relates to risk issues.

**C-FERST is an EPA tool being developed to look at cumulative risk issues for communities. The final version is not yet out for use; however, EPA has used this tool for some pilot projects. Since the final version of C-FERST is scheduled to be out by Sept. 2015, we hope to be able to input data by that time to get some product from our data by 2017.**

10. How can we know that the data will not be misapplied and used against us in private litigation or in enforcement actions?

**As a partner to this project, corporate partners will have an opportunity to review the PMP before implementation of sampling. Sampling of surface soil/sediment at schools and parks will occur regardless of your participation in the Community Sustainability Initiative (CSI) and the results will be public information.**

11. What, if any, triggers followup action (concentrations above screening levels or only exceedances of regulations)?

**The EPA defers to the state regulatory program for cleanup levels as described in the Louisiana Risk Evaluation Corrective Action Program (RECAP). If data collection reports levels above screening numbers, then (as described in the PMP) there will be an opportunity for further data collection and analysis. This process will be clearly defined in the PMP.**

12. Will there be immunity from enforcement actions resulting from collected information?

**No. While this Initiative is not being conducted pursuant to any enforcement proceeding, EPA cannot provide enforcement immunity based on participation in voluntary projects.**

13. Has any budget been established?

**No. The EPA and LDEQ are scheduling this as a two-year project with no specific budget. We are leveraging resources across federal/state and local contacts.**

14. Will there be a continuing right to terminate the activity?

**Yes, anyone can opt out of the voluntary project at any time.**

15. Is the entire program voluntary? **Yes**

16. Is there any potential to require operational changes beyond regulatory compliance levels?

**No; however, corporate partners may suggest changes that they believe will help achieve our objectives of greater sustainability.**

17. Who indemnifies whom?

**The original indemnification language in the CSI was language from another project – it does not apply for this project – the new CSI has been edited. The new document is not legally binding. Rather, it is a statement of shared objectives and commitments.**

18. What are the objective goals of the program?

**Specific goals/objectives are defined in the CSI and in the Performance Measures Plan. The goal is for various entities to collaborate and leverage resources to improve the sustainability of the community.**

19. What potential actions can result from the program?

The objectives of the program are to form partnerships and achieve greater sustainability. Some potential action items may be, but are not limited to the following; 1) forming a Community Advisory Panel (CAP), 2) creation of Best Management Practices (BMPs) as a result of the Sustainability Assessment 3) Sampling of schools/parks, 4) Community Engagement activities such as EPA's Healthy Homes, Healthy Schools, 5) using EPA tools such as C-FERST, Flood Resiliency Checklist, Asthma Survey, etc. 6) EPA review of groundwater data and air data, 7) EPA-facilitated meetings to discuss EPA Superfund property issues, and 8) setting up information for local libraries.

20. Who pays for any actions taken? **All sampling events will be paid for by EPA.**

21. What, if any, timeline exists for the program?

**There is a 2-year timeline for this initial program. If the partners wish to continue the program with state/local agencies they may do so.**

**Here is a schematic of our 'roadmap': (MVD stands for Making a Visible Difference)**

